

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

See form PCT/ISA/210

Applicant's or agent's file reference

38261126WO abu/bhr

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/EP2005/000238

International filing date (day/month/year)

13.01.2005

Priority date (day/month/year)

20.01.2004

International Patent Classification (IPC) or both national classification and IPC

G01D5/04, B62D15/02

Applicant

VALEO SCHALTER UND SENSOREN GMBH

1. This opinion contains indications relating to the following items:



Box No. I

Basis of the opinion



Box No. II

Priority



Box No. III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability



Box No. IV

Lack of unity of invention



Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement



Box No. VI

Certain documents cited



Box No. VII

Certain defects in the international application



Box No. VIII

Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/000238

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
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International application No.

PCT/EP2005/000238

Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	6, 11-20	YES
	Claims	1-5, 7-10, 21-23	NO
Inventive step (IS)	Claims	6	YES
	Claims	1-5, 7-23	NO
Industrial applicability (IA)	Claims	1-23	YES
	Claims		NO

2. Citations and explanations:

1. Reference is made to the following documents:

D1: DE 44 09 892 A1 (ROBERT BOSCH GMBH, 70469
STUTTGART, DE) 28 September 1995 (1995-09-28)

D2: EP-A-0 477 653 (WILHELM RUF KG) 1 April 1992
(1992-04-01)

D3: DE 198 18 799 A1 (DAIMLERCHRYSLER AG, 70567
STUTTGART, DE; DAIMLERCHRYSLER AG)
24 June 1999 (1999-06-24)

2. NOVELTY

2.1 The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1 and 21 is not novel within the meaning of PCT Article 33(2).

2.2 Document D1 discloses (the references between parentheses refer to this document):

- a steering angle sensor (column 1, lines 6-8),
- having a main rotor which can be coupled in a rotationally synchronous fashion to a steering column or steering wheel and which can be rotated about the axis of rotation of the steering column

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Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

(column 4, lines 53-57),

- having at least one additional rotor which can be driven by the main rotor (column 5, lines 8-11),
- having a first sensor unit for sensing the rotational angle position of the main rotor (column 4, lines 47-53),
- having a second sensor unit for sensing the rotational angle position of the additional rotor (column 5, lines 13-16),
- the additional rotor being capable of being rotated about the axis of rotation of the steering column, and at least one gearing element which is driven by the main rotor being provided for driving the additional rotor (column 5, lines 18-23 and figure 1).

The subject matter of claim 1 is therefore not novel and claim 1 does not meet the requirements of PCT Article 33(2).

2.3 The same reasoning applies correspondingly to the independent method claim 21. The subject matter of claim 21 is therefore not novel (PCT Article 33(2)).

2.4 The dependent claims 2-5, 7-10, 22, 23 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty, see documents D1, D2 and the corresponding text references given in the search report.

3. INVENTIVE STEP

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/000238

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

3.1 The dependent claims 11-20 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for inventive step, see document D3 and the corresponding text references given in the search report.

3.2 The feature combination contained in claim 6 is neither known from the prior art nor suggested by it.

The reasons for this are as follows:

the documents known from the prior art disclose rotational angle sensors in which the rotational axes of the main rotor and of the additional rotor are coaxial. There is no indication given to arrange the rotational axes of the rotors in an offset manner.

4. INDUSTRIAL APPLICABILITY

Claims 1-23 meet the requirements of PCT Article 33(4).

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International Patent Classification (IPC) or both national classification and IPC G01D5/04, B62D15/02			
Applicant: VALEO SCHALTER UND SENSOREN GMBH			

1. This opinion contains indications relating to the following items:
- ☒ Box No. I Basis of the opinion
 - ☐ Box No. II Priority
 - ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - ☐ Box No. IV Lack of unity of invention
 - ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - ☐ Box No. VI Certain documents cited
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Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>6, 11-20</u>	YES
	Claims	<u>1-5, 7-10, 21-23</u>	NO
Inventive step (IS)	Claims	<u>6</u>	YES
	Claims	<u>1-5, 7-23</u>	NO
Industrial applicability (IA)	Claims	<u>1-23</u>	YES
	Claims	<u></u>	NO

2. Citations and explanations:

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2. NOVELTY

2.1 The present application does not meet the requirements of PCT Article 33(1) because the subject matter of claims 1 and 21 is not novel within the meaning of PCT Article 33(2).

2.2 Document D1 discloses (the references between parentheses refer to this document):

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(column 4, lines 53-57),

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- having a first sensor unit for sensing the rotational angle position of the main rotor (column 4, lines 47-53),
- having a second sensor unit for sensing the rotational angle position of the additional rotor (column 5, lines 13-16),
- the additional rotor being capable of being rotated about the axis of rotation of the steering column, and at least one gearing element which is driven by the main rotor being provided for driving the additional rotor (column 5, lines 18-23 and figure 1).

The subject matter of claim 1 is therefore not novel and claim 1 does not meet the requirements of PCT Article 33(2).

2.3 The same reasoning applies correspondingly to the independent method claim 21. The subject matter of claim 21 is therefore not novel (PCT Article 33(2)).

2.4 The dependent claims 2-5, 7-10, 22, 23 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for novelty, see documents D1, D2 and the corresponding text references given in the search report.

3. INVENTIVE STEP

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citations and explanations supporting such statement

3.1 The dependent claims 11-20 do not contain any features which, in combination with the features of any claim to which they refer, meet the PCT requirements for inventive step, see document D3 and the corresponding text references given in the search report.

3.2 The feature combination contained in claim 6 is neither known from the prior art nor suggested by it.

The reasons for this are as follows:

the documents known from the prior art disclose rotational angle sensors in which the rotational axes of the main rotor and of the additional rotor are coaxial. There is no indication given to arrange the rotational axes of the rotors in an offset manner.

4. INDUSTRIAL APPLICABILITY

Claims 1-23 meet the requirements of PCT Article 33(4).